

FORM PTO-1390 (Modified)  
(REV 11-98)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES**  
**DESIGNATED/ELECTED OFFICE (DO/EO/US)**  
**CONCERNING A FILING UNDER 35 U.S.C. 371**

14114.03U2

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

**09/937862**

INTERNATIONAL APPLICATION NO.

**PCT/US00/07828**

INTERNATIONAL FILING DATE

**24 March 2000**

PRIORITY DATE CLAIMED

**31 March 1999**

TITLE OF INVENTION

**TYPING OF HUMAN ENTEROVIRUSES**

APPLICANT(S) FOR DO/EO/US

**OBERSTE *et al.***

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ A copy of the International Search Report (PCT/ISA/210).
8. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
9. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
10. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

**Items 13 to 20 below concern document(s) or information included:**

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☒ Certificate of Mailing by Express Mail #**EL491885455US**
20. ☒ Other items or information:

**SEQUENCE LISTING DISKETTE; SEQUENCE LISTING IN WRITTEN FORM (38 PAGES); A COPY OF TWO (2) REQUESTS FOR RECORDING OF A CHANGE UNDER PCT RULE 92BIS; RETURN POSTCARD**

**EL491885455US**

U.S. APPLICATION NO. (IF KNOWN, SEE 09/93780)	INTERNATIONAL APPLICATION NO. PCT/US00/07828	ATTORNEY'S DOCKET NUMBER 14114.0353U2
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21. The following fees are submitted:

**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :**

- ☐ Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$1,000.00
- ☒ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$860.00
- ☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$710.00
- ☐ International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$690.00
- ☐ International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

\$860.00

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).

\$0.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	46 - 20 =	26	x \$18.00
Independent claims	7 - 3 =	4	x \$80.00
			<input type="checkbox"/>

\$468.00

\$320.00

\$0.00

Multiple Dependent Claims (check if applicable).

\$1,648.00

**TOTAL OF ABOVE CALCULATIONS =**

Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable). ☐

\$0.00

**SUBTOTAL =**

\$1,648.00

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).

\$0.00

**TOTAL NATIONAL FEE =**

\$1,648.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). ☐

\$0.00

**TOTAL FEES ENCLOSED =**

\$1,648.00

Amount to be:

refunded \$

charged \$

☒ A check in the amount of \$1,648.00 to cover the above fees is enclosed.

☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 14-0629 A duplicate copy of this sheet is enclosed.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

MILLER, Mary L.  
NEEDLE & ROSENBERG, P.C.  
127 Peachtree Street, N.E.  
Suite 1200  
Atlanta, Georgia 30303-1811

SIGNATURE

MARY L. MILLER

NAME

39,303

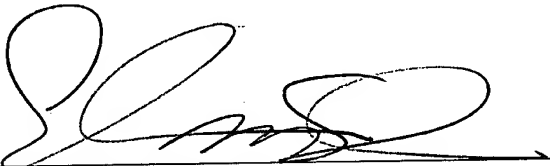
REGISTRATION NUMBER

DATE

September 28, 2001

CERTIFICATE OF EXPRESS MAILING

I hereby certify that the U.S. National Phase Application in the name of: Oberste *et al.*, consisting of: Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371; PTO Form 1390 (2 Pages); A copy of the International Search Report; A copy of the International Preliminary Examination Report; A copy of the executed Declaration (3 Pages); A Preliminary Amendment (3 Pages); A Sequence Listing Diskette; Sequence Listing in written form (38 Pages); Two (2) copies of a Request for Recording of a Change; A check in the amount of \$1,648.00 to cover filing fees; and a return postcard for "TYPING OF HUMAN ENTEROVIRUSES" is being deposited with the United States Postal Service as Express Mailing No. EL491885455US in an envelope addressed to: Assistant Commissioner for Patents, Box PCT (IPEA/EP), Washington, D.C. 20231, on this **28th** day of **SEPTEMBER 2001**.

  
EVERARDO MCFARLANE

9-28-01  
DATE